

Case No.: INJEC-016C  
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

|               |                      |   |                          |
|---------------|----------------------|---|--------------------------|
| Applicant(s): | INJECTIMED, INC.     | ) |                          |
|               |                      | ) | Art Unit: 3763           |
| Serial No.:   | 09/144,398           | ) |                          |
|               |                      | ) | Examiner: Yasko, Jr., J. |
| Filed:        | August 31, 1998      | ) |                          |
|               |                      | ) |                          |
| For:          | NEEDLE TIP GUARD FOR | ) |                          |
|               | HYPODERMIC NEEDLES   | ) |                          |

**RESPONSE TO RESTRICTION REQUIREMENT/SECOND SUPPLEMENTAL PRELIMINARY  
AMENDMENT**

BOX NON-FEE AMENDMENT  
ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON D C 20231

Dear Sir:

The following is in response to the Office Action dated **June 30, 1999**, which required restriction between the following groups of claims:

|             |  |
|-------------|--|
| Group I:    | The species depicted in Figs. 5-10 (Fig. 10 being a full front view of a hub shown in Fig. 7). |
| Group II:   | The species depicted in Figs. 11-13.   |
| Group III:  | The species depicted in Fig. 14.   |
| Group IV:   | The species depicted in Fig. 15.   |
| Group V:    | The species depicted in Fig. 24.   |
| Group VI:   | The species depicted in Fig. 37a.  |
| Group VII:  | The species depicted in Fig. 40a.  |
| Group VIII: | The species depicted in Fig. 41a.  |
| Group IX:   | The species depicted in Fig. 42a.  |

Group X:           The species depicted in Fig. 61a.  
Group XI:          The species depicted in Fig. 64a.  
Group XII:         The species depicted in Fig. 78a.  
Group XIII:        The species depicted in Fig. 98a.  
Group XIV:         The species depicted in Fig. 106a.  
Group XV:          The species depicted in Fig. 108a.  
Group XVI:         The species depicted in Fig. 118a.

In light of such restrictions, Applicants hereby elect, without traverse, to proceed with prosecution of the invention falling within Group I. However, although the Office Action requested Applicants to list all claims readable thereon, including any claims subsequently added, Applicants respectfully submit that the claims prepared by their prior counsel do not distinctly correlate with the sixteen (16) different species identified by the Examiner. As such, in order to more clearly specify those claims readable to the elected species, as well as to simplify and streamline the claims of the present application for further prosecution, Applicant is hereby canceling all of the claims pending in this case and adding new claims 181-188 which are directed to the elected species, namely the species depicted in Figs. 5-10.

Accordingly, prior to the examination of the present application, please amend the same as follows: